

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419

Master Dkt.: 1:13-md-02419-FDS

THIS DOCUMENT RELATES TO:

All Actions

**PLAINTIFFS' STEERING COMMITTEE'S MOTION TO
PARTIALLY LIFT DISCOVERY STAY**

The Plaintiffs' Steering Committee requests this Court to partially lift the discovery stay to permit plaintiffs to take discovery of persons or entities other than New England Compounding Pharmacy, Inc. ("NECP") and those persons and entities employed by, or, directly or indirectly, affiliated with NECP who may have some responsibility for the tort plaintiffs' injuries. A memorandum of support is filed herewith.

The Plaintiffs' Steering Committee does not – right now – intend to pursue formal discovery against NECP, its principles, or affiliated companies. This motion does *not* seek permission to take formal discovery from New England Compounding Pharmacy, Inc., Carla R. Conigliaro, Barry J. Cadden, Lisa M. Conigliaro Cadden, Gregory A. Conigliaro, Douglas Conigliaro, Glenn Chin, or any of NECP's former employees, Medical Sales Management, Inc., Alaunus Pharmaceuticals, LLC, Ameridose, LLC, GDC Properties Management LLC, GDC Holdings, Inc., or any other entity owned or operated by any of the foregoing.

The Plaintiffs' Steering Committee anticipates that some of the entities unaffiliated with NECP may want to, similarly, lift the discovery stay in order to take discovery of the plaintiffs; the Plaintiffs' Steering Committee will meet and confer with any such defendant about any proposed discovery requests.

The Plaintiffs' Steering Committee had filed its motion for partial relief from the discovery stay so that oppositions will be due before the next status conference (May 14, 2013).

The Plaintiffs' Steering Committee requests the Court to enter an order permitting discovery of persons and entities unaffiliated with NECP.

Dated: April 29, 2013

/s/ *Thomas M. Sobol*

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Thomas M. Sobol, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: April 29, 2013

/s/ Thomas M. Sobol

Thomas M. Sobol, BBO # 471770